



W.P(MD)No.10149 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.11.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.10149 of 2014

and

M.P(MD)No.1 of 2014

P.Stalin Aruldas

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Assistant Director of Panchayats,
Collectorate Complex,
Dindigul,
Dindigul District.

3.The Executive Officer,
Ammayanayakkanoor Town Panchayat,
Ammayanayakkanoor,
Dindigul District.

4.R.Subba Reddiar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the third respondent's approval for building plan in Ka.V.No. 66/2012-13 Ka.Oo.No.63/2012-13, dated 20.03.2013, given to the fourth respondent and quash the same in respect of the petitioner's property in



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Old S.No.641/6 new S.No.863/4, Oruthattu Village,
Ammaianayakkanoor Town Panchayat, Nilakottai Taluk, Dindigul
District.

For Petitioner : M/s.A.Hajamohideen

For R-1 & R-2 : M/s.M.Lingadurai
Special Government Pleader

For R-3 : M/s.T.S.Mohamed Mohideen

For R-4 : M/s.H.Lakshmi Shankar

ORDER

The present Writ Petition has been filed challenging building plan approval granted by the third respondent herein in favour of the fourth respondent.

2. According to the learned Counsel for the petitioner, he is the absolute owner of the property and erroneously building plan approval has been granted by the third respondent in favour of the fourth respondent.

3. According to the learned Counsel appearing for the fourth respondent, the petitioner had already filed O.S.No.206 of 2013 on the file of the District Munsif Court, Nilakottai, for the relief of declaration



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of title and permanent injunction. The said suit was dismissed on 11.10.2018. Thereafter, the writ petitioner had filed A.S.No.197 of 2018 on the file of the Principal Sub Court, Dindigul. When the first appeal was pending, the parties have made a joint endorsement that, they have settled the matter outside the Court.

4. Recording the same, first appeal has been disposed of. In view of the settlement between the petitioner and the fourth respondent herein, the question of quashing the building plan approval granted by the third respondent in favour of the fourth respondent does not survive for further adjudication.

5. With the above said observation, the writ petition stands closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

18.11.2022

Index : Yes / No
Internet : Yes / No
btr



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R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.10149 of 2014

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